

REMARKS/ARGUMENTS

In light of the above amendments and remarks to follow, entry of this amendment and reconsideration and allowance of this application are respectfully requested.

Claims 52, 58, 63 and 72 have been amended. Claims 52, 58-67 and 72 are pending in this application. Claims 52, 58-67, and 72 are pending in this application.

Claims 52, 58-67 and 72 were rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 7,224,886 to Akamatsu et al. (Akamatsu) and U.S. Patent Publication No. 2002/0018638 to Sparks et al. (Sparks), and further in view of U.S. Patent No. 5,990,940 to Hashimoto et al. (Hashimoto), and further in view of U.S. Patent No. 5,621,579 (Yuen '579). In addition, claims 61 and 66 were rejected under 35 U.S.C. § 103(a) as being obvious over Akamatsu and Sparks, and further in view of Hashimoto and further in view of Yuen and further in view of U.S. Patent No. 6,147,715 to Yuen et al. (Yuen '715). Further, claims 62 and 67 were rejected under 35 U.S.C. § 103(a) as being obvious over Akamatsu and Sparks, and further in view of Hashimoto, and further in view of Yuen '579, and further in view of Yuen '715 in further view of U.S. Patent Publication No. 2004/0208482 to Suga et al. (Suga).

The present claims, as amended, now recite that "the decoder is (i) for determining whether the transport stream corresponding to the program recorded on the recording medium reproduced by said reproducing apparatus and received through said digital interface is decodable by said decoder, and (ii) for generating decodability data indicating a result of determining whether the transport stream is decodable by said decoder." In addition, the present claims now recite that, where the decodability data indicates the transport stream is determined "not able to be decoded," a message is displayed

based on the decodability data and showing that a program corresponding to the transport stream is recorded in a recording mode in which the transport stream cannot be decoded by the claimed receiving apparatus including the decoder. (Emphasis added; independent claims 52, 58 and 63; independent claim 72 contains a similar limitation.)

As discussed in the application, a decoder, such as of a receiving apparatus of claim 1, may determine from a transport stream received at the apparatus whether the transport stream is decodeable, for example, whether the transport stream is recorded in a recording mode, such as MPEG, decodeable by the decoder. The decoder furthermore may generate decodability data, which indicates a result of the determination by the decoder whether the transport stream is decodeable by the decoder. In the case where the decodability data indicates that the transport stream is determined not able to be decoded by the decoder, a message is displayed consistent with the decodability data indicating that the received transport stream has been determined not able to be decoded by the decoder. The message displayed based on the decodability data is to show that a program to which the transport stream corresponds is recorded in a recording mode in which the transport stream cannot be decoded by the decoder, thereby notifying a user of the receiving apparatus of the reason that the program of the received transport stream cannot be displayed using the receiver. (See specification, for example, at p. 30, ln. 25-pg. 31, ln. 11 and pp. 53-54).

The Examiner admitted that the applied portions of Akamatsu and Sparks do not disclose displaying a message to show that a program is recorded on a recording medium in a recording mode in which the "transport stream" corresponding to the program "cannot be decoded by said receiving apparatus," as required by the claimed invention. In addition, the applied portions of

Akamatsu and Sparks do not appear to disclose or suggest a decoder for determining whether the transport stream is decodeable by the decoder, and furthermore for generating "decodability data indicating a result of determining whether the transport stream is decodeable by said decoder," as now also required by the claimed invention.

Hashimoto and Yuen '579, alone or in combination, do not cure the deficiencies of Akamatsu or Sparks with respect to the requirements of the claimed invention. In contrast to the Examiner's statements, the applied portions of Hashimoto appear to disclose adjusting operation of a video monitor for display of an input video signal, and displaying a message indicating that an input video signal, which apparently is decodeable, "does not conform to the display specifications" of the video monitor, upon determination that the decodeable input signal does not have scanning frequencies acceptable to provide for display on the monitor. Thus, Hashimoto is not concerned with, and does not appear to disclose or suggest, generating decodability data indicating a result of determining from the transport stream whether the transport stream is decodeable by the decoder, and displaying a message based on the decodability data to show that a program is recorded in a recording mode in which the corresponding transport stream that is received cannot be decoded by the receiving apparatus, as required by the claimed invention.

In addition, although the applied portions of Yuen appear to disclose displaying information read from a tape or a memory (such as RAM or SRAM), nowhere do the applied portions of Yuen appear to disclose or suggest a decoder to generate "decodability data indicating a result of determining [by the decoder] whether the transport stream is decodeable by said decoder," as required by the claimed invention.

Thus, Applicants request that the rejection of the pending

claims be withdrawn.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicants' attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: February 22, 2009

Respectfully submitted,
Electronic signature:
/Davy E. Zoneraich/
Davy E. Zoneraich
Registration No.: 37,267
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorney for Applicants

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